

HENNIGAN, BENNETT & DORMAN LLP
LAWYERS
LOS ANGELES, CALIFORNIA

HENNIGAN, BENNETT & DORMAN LLP
J. Michael Hennigan (SBN 59491)
Robert L. Palmer (SBN 181462)
Lauren A. Smith (SBN 94343)
Allison Chock (SBN 206015)
Caroline Walters (SBN 239054)
865 South Figueroa Street, Suite 2900
Los Angeles, California 90017
Telephone: (213) 694-1200 Fax: (213) 694-1234
Email: hennigan@hbdlawyers.com
palmer@hbdlawyers.com
smithl@hbdlawyers.com
chocka@hbdlawyers.com
waltersc@hbdlawyers.com

Attorneys for Defendants William E. and Desiree B. Moore
 Revocable Trust; Trustees of The William E. and Desiree B. Moore
 Revocable Trust; Desiree B. Moore Revocable Trust;
 William E. Moore Marital Trust; William E. Moore
 Generation-Skipping Trust; and Desiree Moore

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO AND OAKLAND DIVISION

THOMAS FERNANDEZ, LORA SMITH and
 TOSHA THOMAS, individually and on behalf of
 a class of all other persons similarly situated,

Plaintiff,

vs.

K-M INDUSTRIES HOLDING CO., INC.; K-M
 INDUSTRIES HOLDING CO., INC. ESOP
 PLAN COMMITTEE; WILLIAM E. AND
 DESIREE B. MOORE REVOCABLE TRUST;
 TRUSTEES OF THE WILLIAM E. AND
 DESIREE B. MOORE REVOCABLE TRUST;
 CIG ESOP PLAN COMMITTEE; NORTH
 STAR TRUST COMPANY; DESIREE B.
 MOORE REVOCABLE TRUST; WILLIAM E.
 MOORE MARITAL TRUST; WILLIAM E.
 MOORE GENERATION-SKIPPING TRUST;
 and DESIREE MOORE, BOTH IN HER
 INDIVIDUAL CAPACITY AND AS TRUSTEE
 OF THE WILLIAM E AND DESIREE B.
 MOORE REVOCABLE TRUST'S SUCCESSOR
 TRUSTS NAMED ABOVE,

Defendant.

) Case No. C 06-07339 CW
)
) DEFENDANTS WILLIAM E. AND
) DESIREE B. MOORE REVOCABLE
) TRUST, TRUSTEES OF THE WILLIAM
) E. AND DESIREE B. MOORE
) REVOCABLE TRUST, DESIREE B.
) MOORE REVOCABLE TRUST,
) WILLIAM E. MOORE MARITAL
) TRUST, WILLIAM E. MOORE
) GENERATION-SKIPPING TRUST, AND
) DESIREE B. MOORE'S JOINDER IN
) K-M INDUSTRIES HOLDING CO., INC.,
) K-M INDUSTRIES HOLDING CO. INC.
) ESOP PLAN COMMITTEE AND CIG
) ESOP PLAN COMMITTEE'S
) OPPOSITION TO PLAINTIFFS'
) MOTION FOR CLASS CERTIFICATION
) AND APPOINTMENT OF COUNSEL
)
) DATE: July 3, 2008
) TIME: 2 p.m.
) CTRM: 2, 4th Floor
) JUDGE: Hon. Claudia Wilken
)

Defendants William E. Moore and Desiree B. Moore Revocable Trust, Trustees of the William E. Moore and Desiree B. Moore Revocable Trust, Desiree B. Moore Revocable Trust, William E. Moore Marital Trust, William E. Moore Generation-Skipping Trust and Desiree B. Moore hereby respectfully join the Opposition to Plaintiffs' Motion for Class Certification and Appointment of Class Counsel ("Opposition") filed by K-M Industries Holding Co. Inc., K-M Industries Holding Co. Inc. ESOP Plan Committee, and CIG ESOP Plan Committee. For the reasons stated in the Opposition, the Court should deny class certification.

DATED: June 12, 2008

HENNIGAN, BENNETT & DORMAN

By: /S/ Caroline Walters
Caroline Walters

Attorneys for Defendant
WILLIAM E. AND DESIREE B. MOORE
REVOCABLE TRUST; TRUSTEES OF THE
WILLIAM E. AND DESIREE B. MOORE
REVOCABLE TRUST; DESIREE B. MOORE
REVOCABLE TRUST; WILLIAM E. MOORE
MARITAL TRUST; WILLIAM E. MOORE
GENERATION-SKIPPING TRUST; and
DESIREE MOORE

HENNIGAN, BENNETT & DORMAN LLP
LAWYERS
LOS ANGELES, CALIFORNIA